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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,066	07/16/2003	H. Lee Martin	0103079 - 0517398	1231

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FROST BROWN TODD, LLC
2200 PNC CENTER
201 E. FIFTH STREET
CINCINNATI, OH 45202

EXAMINER	
LEE, MICHAEL	

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/621,066	MARTIN ET AL.	
	Examiner	Art Unit	
	M. Lee	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/16/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 18-41 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of U.S. Patent No. 5,877,801. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patented claims meet all the claimed invention. For instance, the patented claim 1 recites a camera imaging system, which meets the video camera as claimed, a transmitter, which meets the transmitter as claimed, a converter at the second and third sites, which meets the processor as claimed, and a display at the converter, which meets the display as claimed. Accordingly, it would have been

obvious to one of ordinary skill in the art at the time of the invention was made to recognize that the claimed invention is an obvious variation of the patented claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 18-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamejima et al. (4,549,208).

Regarding claim 18, Kamejima shows a video camera (5B), a transmitter (3), a processor (see col. 3, lines 5-8), and a display (4). But Kamejima does not specify that the processor is located at two or more local sites as claimed. Instead, Kamejima shows only one receiving site. In any event, it is understood that more than one receiver can receive the radio signal in Kamejima transmitted by transmitter 3. The radio transmitter is a plus over wired transmission if multiple viewers are viewing the same image from different locations. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include employ more than one receiver into Kamejima so that viewers located at different locations could conveniently view the same image. In addition, Figure 4 shows different image areas can be selected and transformed by selecting different sets of polar coordinates (r,Θ). Accordingly, it would have been also been obvious to an ordinary skill in the art to

modify Kamejima to utilize the input console (2) as the control input to input polar coordinate values (r,Θ) so that different areas of the wide angle image could be viewed on the monitor.

Regarding claim 19, Kamejima does not specify the two or more different perspectivly corrected views as claimed. The examiner takes Official Notice that using a single monitor to view a plurality of images is well know in the art. For instance, a surveillance system normally employs a single monitor to display at least four different images in order to reduce the number of monitors otherwise needed. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Kamejima so more than one portion of the transformed image could be viewed by the operator.

Regarding claim 20, see rejection to claim 18.

Regarding claim 21, see rejection to claim 19.

Regarding claim 22, see rejection claim 18.

Regarding claim 23, see rejection to claim 18.

Regarding claims 24 and 25, see col. 4, line 48.

Regarding claim 26, see col. 4, lines 15-17.

Regarding claim 27, see rejection to claim 18.

Regarding claim 28, see rejection to claim 18.

Regarding claim 29, in addition of rejection to claim 18, the use of Kamejima for a videoconference is considered an intended use of the invention.

Regarding claim 30, see rejection to claim 19.

Regarding claim 31, see memory 6B.

Regarding claim 32, see rejection to claim 18.

Regarding claim 33, see col. 4, lines 28-29.

Regarding claim 34, see Figure 10.

Regarding claim 35, see hemispherical lenses 5C.

Regarding claim 36, see memory 6B.

Regarding claims 37 and 38, in addition of rejection to claim 18, see col. 3, lines 13-64.

Regarding claim 39, see console 2.

Regarding claim 40, see rejection to claim 18.

Regarding claim 41, see rejection to claim 19.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz, can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Lee
Primary Examiner
Art Unit 2614